EEO COUNSEI OP'S DEDORT					1. DA DO	CKET NUMBER	
EEO COUNSELOR'S REPORT  For use of this form see AR 690-600, the proponent agency is OSA.					A	RDETROIT18MAY01583	
PRIVACY ACT STATEMENT (5 U.S.C. §552a)							
AUTHORITY: P	Public Law 92-261						
а	Used for processing of complaints of discrimination because of race, color, national origin, religion, sex, age, physical and/or mental disability, or reprisal by Department of the Army civilian employees, former employees, applicants for employment and some contract employees.						
a u (1	Information will be used (a) as a data source for complaint information for production of summary descriptive statistics and analytical studies of complaints processing and resolution efforts; (b) to respond to general requests for information under the Freedom of Information Act; (c) to respond to requests from legitimate outside individuals or agencies (White House, Congress, Equal Employment Opportunity Commission) regarding the status of a complaint or appeal; or (d) to adjudicate complaint or appeal.						
Voluntary, however, failure to complete all appropriate portions of this form may lead to delay in processing and/or rejection of complaint on the basis of inadequate data on which to continue processing.							
	SECTION I - PRE	-COM	PLAINT INTAKE I	NTERVIE	w		
2. NAME OF AGGRIEVED (	Print-Last, First, Middle Initial)		3	JOB TIT	LE		
DaSilva, Jr., Joe			Fi	ire Fighte	er		
4. PAY PLAN/SERIES/ GRADE GS-0081-07	5. DUTY ORGANIZATION (Complete address including office symbol) USAG-Detroit Arsenal DES - Fire Division 6501 E. 11 Mile Road						
	Warren, MI 48397-5000						
6. WORK TELEPHONE (586)282-6448	7 HOME TELEPHONE 8. HO	ME AD	DRESS				
9. DATE OF ALLEGED DISCRIMINATORY ACTION (YYYYMMDD) 20180403	10. 45TH CALENDAR DAY AFTER EVENT (YYYYMMDD) 20180613	11. R	EASON FOR DEL	AYED CO	NTACT B	EYOND 45 DAYS, IF APPLICABLE	
12. DATE OF INITIAL CONTACT WITH EEO OFFICIAL (YYYYMMDD)  20180429	13. 30 <sup>TH</sup> CALENDAR DAY AFTER INITIAL CONTACT WITH EEO OFFICIAL (YYYYMMDD) 20180529	14. 90TH CALENDAR DAY AFTER INITIAL CONTACT WITH EEO OFFICIAL (YYYYMMDD) 20180728  15. DATE COUNSELING EXTENSION GRANTED, IF APPLICABLE (YYYYMMDD)					
16. DATE PRE-COMPLAINT	INTAKE INTERVIEW CONDUCTED		17. PRE-COMPL	LAINT INT	AKE INTE	RVIEW CONDUCTED:	
(YYYYMMDD)	20180503		Telephonically Nn-Person Other (facsimile/e-mail)			n Other (facsimile/e-mail)	
SECTION II - C	RGANIZATION WHERE ALLEGED	DISCRI	MINATION OCCL	JRRED (C	omplete add	lress including office symbol)	
USAG-Detroit Arsenal DES - Fire Division 6501 E. 11 Mile Road Warren, MI 48397-5000					<u>-</u>		
SECTION III - RESPON	DING MANAGEMENT OFFICIAL(s) II	VFORM	MATION (include na	arne, comple	ete work add	iress and phone number if known.)	
Martin Potter, Assistant Chief 6501 E. 11 Mile Road, Bldg 205 Warren, MI 48397-5000							

DA FORM 7510, JUL 2010

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ACE DATE OF BIRTH NICES AND ACT OF BIRTH NICE							
REPRISAL  (Obteted) of prior EEO activety?  SECTION V - MATTER (a) GIVING RISE TO COMPLAINT (Specity who, what whom, and when) (Use additional sheet of paper if necessary.)  Was the aggrieved harassed (sexual) based on his sex (male) and National Origin (Brazilian) when unwanted sexual nature comments were made by Assistant Chief Martin Potter to include "how much do breast implants cost" and remarking that you hould be able to wear a "B-cup bra"?  In December 2016, the aggrieved alleges that Mr. Potter verbalized to him. "If I become assistant chief, I will make sure you lorn move up." This was said in front of other staff.  2. The aggrieved states when he informed his new supervisor, Mr. Mike Ball, of the harassment, Mr. Ball chooses to stay out of it. The alleged states that I 0 of 11 people have left Chief Potter's team due to harassment sissues.  3. The aggrieved states Chief Edwards is aware of this complaint and does not support him, states it is a simple misinterpretation. The aggrieved states Chief Edwards told him. "I don't like you, I just have to work with you."  SECTION VI - RELIEF SOUGHT  ) Behavior to stop; 2) A/C Chief Potter to either move out of his chain of command or be demoted so is his equal and no longer a look to his career; 3) Between 3 and 5 days of paid overtime; 4) To not have any shifts with Chief Potter	NATIONAL OBIGINBrazilian						
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Page 2 of							
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HE AGGRIEVED WAS PROVIDED WITH THE AGGRIEVED PERSON'S RIGHTS AND RESPONSIBILITIES NOTICE AND WAS SPECIFICALLY AUDIENCE OF THE PELOLUCING.  The basis (es) for filing pre-complaint, formal complaint, and/or class complaint, and of right to file a formal complaint of discrimination.  The pre-complaint, formal and/or class complaint process.  The 45-day calendar requirement from effoctive date of personnel action or of the date of the matter alleged to be discriminatory.  The right of the EEO counselor, including that the counselor is not an advocate for either the aggrieved person or the agency and acts softidy as a nextral.  The activity's Alternatio Dispute Resolution (ADR) Program and right to elect eather ADR (if aftered) or traditional EEO counseling.  The right to representation throughout the complaint process.  The right to representation throughout the complaint process.  Responsibility of the aggrieved to notify the EEO office in writing of any change in address and/or phone number.  Responsibility of the aggrieved to notify the EEO office in writing of non-attorney or attorney representation, including address and phone number.  The possible election requirement between a negotiated grievance procedure. MSPD procedure and the EEO complaint process.  The election options in age and wage-based discrimination complaints.  SECTION VIII - ELECTION OF REPRESENTATIVE  ADDRESS  TELEPHONE NUMBER  FAX  EANAL  SECTION IN - ALTERNATE DISPUTE RESOLUTION (ADR)  FAX  SECTION IN - ALTERNATE DISPUTE RESOLUTION (ADR)  The pagnieved migra spin and date)  [EEO Officer must mishel and date)  Date of Agreement to Participate in ADR  Name of assigned ADR actilisator/mediator assigned in (YYYYAMODO) is attached.  ADR was not successful. The aggrieved was provided a Note of Right to File a Formal Complaint of Discrimination on (YYYYAMODO) and and dided of regimented to Bias a formal complaint of Discrimination on (YYYYAMODO) and and dided of regimented to Bias a formal Complaint of Discrimination on (YYYYAMODO) and and dided of	SECTION VII - RIGHTS AND RESPONSIBILITIES						
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## **SECTION XI - WITNESS INQUIRY**

a. Witness Information (List all witness data here. Number sequentially and include name, title, organization, phone number, and relevant basis(es) information.)

Assistant Chief Lesley (Jerome) Tillman: Assistant Chief for Training/Prevention

Installation Management Command, Sustainment Directorate USAG Detroit Arsenal, Building 205, Room 1B049-0

6501 E. 11 Mile Rd.

Warren, MI 48397

David L. Ferris: Fire Fighter/EMT

Installation Management Command

U.S. Army Garrison - Detroit Arsenal, Building 205,

Room 1C237-0, MS 137

6501 E. 11 Mile Rd. Warren, MI 48397

## b. Witness Statements

1. Assistant Chief Lesley (Jerome) Tillman: Meet with Assistant Chief Jerome Tillman at the EEO office on 5/18/18. Mr Tillman stated that on the morning of 03 April 2018 he was in the firehouse kitchen and heard Chief Potter state to Mr. DaSilva "Joe you know how much breast implants cost, don't you?" Mr. Tillman is unsure if other's heard the statement. When asked if anything led up to this incident, Mr. Tillman stated there was a commercial for breast implants on the tv. Mr. Tillman left the kitchen after the incident and received a call from Mr. DaSilva the next day stating he was offended by the remark. Mr. Tillman contacted Chief Edwards the same day to inform him of the incident and was told by Chief Edwards to stay away from Mr. DaSilva and not talk to him. Mr. Tillman does not think any action took place as a result of this incident, as nothing was done. Mr. Tillman stated Chief Edwards was more focused on why DaSilva contacted Mr. Tillman about the incident.

Mr. Tillman stated he thinks Mr. DaSilva is being singled out by Chief Potter and Chief Edwards. Mr. Tillman stated he has been told by Chief Edwards on a few occasions since the 03 April 2018 incident to not talk to Mr. DaSilva. Mr. Tillman has not witnessed any other issues between Mr. DaSilva and Chief Potter, although disclosed he has had to change his schedule in order to prevent Mr. DaSivla and Chief Potter from working together. Mr. Tillman stated he has to work all week and weekend now and would rather be home with his family.

2. Firefighter David Ferris:

Receive an email response from Mr. Ferris on 5/25/18 and a copy of the email is in the file. Mr. Ferris stated he does not recall the event well, does recall Chief Potter mentioning something about Mr. DaSilva having breasts. Mr. Ferris stated he did not see the issue as something to report.

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SECTION XI - WITNESS INQUIRY (Cont'd)						
Witness Statements (Cont'd)						
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1 (1941)						
c. Documents Reviewed (List)						
Notes from initial intensions between Mr. Decilies and ECO						
Notes from initial interview between Mr. DaSilva and EEO Email from Mr. Ferris dated 5/25/18						
Emails from Mr. Tillman dated 5/18/18						
Email from Mr. Young dated 5/30/18						
d. Reviewed Documents Revealed						
1.						
2. The aggrieved stated that he has changed shifts in order to avoid Chief Potter, although still has to work with him on some days.						
The aggrieved states when he informed his new supervisor, Mr. Mike Ball, of the harassment, Mr. Ball chooses to stay out of it. The						
alleged states that 10 of 11 people have left Chief Potter's team due to harassment issues.						
SECTION VII. OUTCOME OF DDE COMDI AINT INOUIDV						
SECTION XII - OUTCOME OF PRE-COMPLAINT INQUIRY						
Resolution was not accomplished, therefore, I conducted the final interview with aggrieved on 20180531 (YYYYMMDD) at which time I informed the aggrieved of the full scope of my inqu iry and the reason(s) articulated by management for action(s) taken.						
I provided the aggrieved with a Notice of Right to File a Formal Complaint of Discrimination and a DA Form 2590, Formal Complaint of						
Discrimination. The aggrieved is aware of the requirement to file a formal complaint within 15 calendar days of the final interview if not satisfied with the results of my inquiry.						
Resolution was accomplished. Negotiated settlement agreement, signed on (YYYYMMDD), is attached.						
PRINTED NAME OF EEO COUNSELOR	SIGNATURE OF EEO COUNSE					
Amy Dombrowski		16384155 Deptilit supred by DONIBROWSK ASHY WARRE 1300004156 Date: 3078365 31 11 41 51 -0.000				
Attachments:		DATE SUBMITTED TO EEO OFFICER				
Extension of counseling (if applicable)     Consist of regioned documents		(YYYYMMDD) 20180531				
Copies of reviewed documents						

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